



STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
16 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0016

JOHN ELIAS BALDACCI  
GOVERNOR

DAVID A. COLE  
COMMISSIONER

October 19, 2006  
Subject: **Calais/St. Stephens**  
Project No. NCPD/CBI-8483(360)X  
Pin No. 8483.36  
**Amendment No. 3**

Dear Sir/Ms:

Make the following changes to the bid documents.

In the plan sheets on Sheet 23 of 47 under "Seal Cofferdam Notes" within Note #6 DELETE in its entirety the second sentence that begins: "The bedrock surface at Pier 3 shall..."

In the book, within "Special Provision 100, Environmental Requirements and Commitments" REMOVE the map on page five of five and REPLACE with the new attached map.

The following Questions have been received.

**Question:** Has MDOT, CRA (Canada Revenue Agency), CBSA (Canada Border Services Agency), determined how the value of the bridge will be allocated between Canada and US? An equitable approach would be to split pay items and quantities between the US and Canada. According to discussions with CRA, CBSA and customs importers this information will be necessary to comply with CRA (GST, Corp Tax and Customs) reporting requirements on both sides of the border.

**Response:** The bridge cost is split 50/50 between the Maine DOT and the New Brunswick DOT.

**Question:** What is the location of the Canadian Border from a customs, immigration and tax compliance administration perspective? Is the river considered neutral territory?



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**Question:** Although the project is “zero rated” for HST purposes does MDOT understand that the cost of tax compliance, tax reporting and supporting administration is estimated to exceed \$200,000? Our tentative estimates suggest more than 75 separate tax returns will need to be prepared and filed with the CRA if a US contractor performs the project.

**Question:** Will MDOT withhold and remit 15% of contract price on value of work done in Canada to CRA, as required by CRA, as a remittance deposit for corporate taxes?

**Question:** Will a Regulation 105 Waiver be granted to MDOT and a US Contractor, if awarded the contract? If granted, the Regulation 105 Waiver relieves MDOT and the US Contractor from withholding 15% from vendor payments and remitting those holdings to CRA. The 105 waiver suggests the MDOT and US Contractor are non-resident and lack a “permanent establishment” for corporate tax purposes. CRA should issue a pre-determination, as this decision will have a substantial impact on the required tax compliance effort and the amount of tax dollars paid.

**Question:** According to CRA, nonresident Contractors with employees temporarily working in Canada must obtain regulation 102 waivers for each employee to avoid withholding and remitting Canadian payroll taxes. Is there any way to simplify this?

**Question:** Special provision 108.6.2 states the project is “exempt” from GST/HST. Our understanding is the Project is “zero rated”. Please clarify. There are far reaching compliance and reporting consequences associated with the difference between exempt and zero rated.

**Question:** If a Maine contractor hires a Canadian subcontractor (works on the Canadian side), does the Maine contractor have to withhold 6% GST plus 8% HST from payments to Canadian subcontractor?

**Question:** It is our understanding that most of the products incorporated into the Canadian side of the bridge will be exempt from Canadian duties and tariffs because of NAFTA and the nature of materials used on the bridge (concrete, steel, etc...). What components of the bridge construction would be subject to Canadian duty? What tariff rates would apply?

**Question:** There has been discussion of a “provisional entry application” which would assess GST and Tariffs based upon an estimate of the value of construction? See Memorandum D17-1-13.

**Response:** In response to the previous eight questions, it is incumbent upon the contractor to research these questions and get the appropriate answers.

**Question:** The amount of 12’ fence estimated for this project is about 750’, Special Provisions section 607 requires the fence to be installed within 30 calendar days from contract award. The fencing scope of work would require approximately 15 working days

to complete. To acquire fencing materials required for the project from the supplier would take 10 working days.

It appears that fencing work would be completed during winter conditions, this may extend the installation process by as much as 5 working days. Would MDOT consider waiting until spring to install the fencing?

**Response:** Yes, the Department will consider installing the fence in the spring.

**Question:** It doesn't appear that there would be enough area around the bridge abutments if fencing is placed according to plan to allow construction of abutments. Is it MDOT's intent to relocate the fence a couple of times? If so, will this require additional fencing?

**Response:** It is not the Department's intent to relocate the fence multiple times. We are looking for the fence to be installed once as per the Project Resident, similar to what is shown on the plans.

**Question:** What type of Equipment do we have to provide Lincolnville Communication? Where is the duct located?

**Response:** Lincolnville Communication is expected to work on site only after the Hanger System and Duct Bank is installed. Lincolnville Communication or any other utility company can use the Hanger System to install their utility lines with approval from Maine DOT. It is the responsibility of the utility company to provide and install the conduits they need on the Hanger System between the abutments. The plans show 6 conduits to indicate the possible 6 conduit locations if a utility company wishes to use the Hanger System, and also for the Bridge contractor to provide and install the appropriate Hanger System. Please read Special Provision 890.01.

**Question:** Note # 6 on sheet 23 of 47. Do you intend to have the contractor drill and blast or other means to remove ledge below water, inside the cofferdam to achieve the 6H to 1V slope?

**Response:** See earlier change in this amendment.

**Question:** It appears that we will be paid 2 each for the expansion device at each abutment for a total of 4 each under item 520.21. Is this correct?

**Response:** Yes, we expect that two separate gland seals will be placed at each abutment. Standard Details shall be followed for terminating the seals under the Expansion dams.

**Question:** Will the tops of the Precast concrete girders require sand blasting prior to the concrete slab placement?

**Response:** Yes.

**Question:** Will we have to loam seed and mulch the access road after the project is complete?

**Response:** No

**Question:** How come there is not a pay item for project schedule and schedule updates?

**Response:** Standard specification 107.4.2 requires a schedule; Special provision Section 107 Time just clarifies the requirements for this project.

**Question:** Does St. Stephens, Milltown or Canada require a building permit for the bridge?

**Response:** NO they do not require a building permit.

**Question:** No work on the extreme southerly end of the project between February 15 and August 31. Where is the extreme southerly end of the project?

**Response:** This work window was for an Eagle nest and doesn't apply to the bridge construction.

**Question:** No refueling can take place within the wellhead area of the City of Calais water supply. Where are the limits of the wellhead areas Zone1 and Zone 2?

**Response:** As stated in 656.17, paragraph 17) see the map within "Special Provision 100, Environmental Requirements and Commitments" page five of five.

**Question:** Will there be any area left low on the St. Stephen approach, done by others, for the disposal of the pier excavation.

**Response:** See dredge Specification 203 or contact NB DOT.

**Question:** How will the three each pile dynamic load tests be paid for?

**Response:** See revised "Schedule of Items" in Addendum #2

**Question:** The Specification stipulates all payments will be made in US currency. How does a Canadian firm comply with Wage Payments under the prevailing wage provision? Is it acceptable to pay wages in Canadian Currency and then apply an exchange conversion factor to determine certified payroll compliance with the prevailing wage provision in US dollars?

**Response:** See Special Provision 108.2.2.1

Consider these changes and information prior to submitting your bid on October 25, 2006.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Bickford", followed by the word "FOR" in a stylized, handwritten font.

Scott Bickford

Contracts & Specifications Engineer

**Special Provision 100**  
**Environmental Requirements and Commitments**

